IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2102 of 1987

HON'BLE MR.JUSTICE K.S.JHAVERI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

PRABHAVATI JIVANLAL SHAH

Versus

PRINCIPAL

Appearance:

MS SUDHA R GANGWAR for Petitioner No. 1

MR PD BHATE, AGP, Respondent No. 1-2

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 26/07/2004

ORAL JUDGEMENT

1. The petitioner by way of this petition has prayed for a direction directing the respondent to allow the petitioner to work as a Teacher.

2. The case of the petitioner that she was appointed

in the respondent school as a Teacher in the year 1983 and the respondent terminated the services of the petitioner without any reason.

3. From the record of the case it is clear that the petitioner has tendered her resignation on 8th June 1986 and 6th August 1986 and the respondent has accepted the resignation on 19th December 1986. Thereafter she made an application on 29th June 1987 to the respondent to take her back to which the respondent has not responded. The fact remains that the petitioner's resignation has been accepted and therefore, there was no question of taking the petitioner back in service after a period of more than six months. Apart from that the averments made in the petition are vague and do not support the say of the petitioner.

4. In the premises aforesaid, I do not see any merits in the petition. Accordingly the petition is rejected. Rule is discharged with no order as to costs.

[K.S. JHAVERI, J.]
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